

Application No. 09/890,076

Docket No. 3COM 2257-2

REMARKS

In the Official Action mailed 8 August 2005, the Examiner reviewed claims 22 and 24-45. The Examiner rejected claims 22, 24, 25, 27, 31, 35 and 37 under 35 U.S.C. §103(a); rejected claims 26, 28-30, 32-34 and 38 under 35 U.S.C. §103(a); rejected claim 36 under 35 U.S.C. §103(a); rejected claims 39, 42, 44, and 45 under 35 U.S.C. §103(a); rejected claims 40 and 41 under 35 U.S.C. §103(a); rejected claim 43 under 35 U.S.C. §103(a)

Claims 22 and 39 are amended. Claim 24 is canceled. Claims 22 and 25-45 remain pending.

The Examiner's rejections are respectfully traversed below.

Rejection of Claims 22, 24, 25, 27, 31, 35 and 37 under 35 U.S.C. §103(a)

The Examiner rejected claims 22, 24, 25, 27, 31, 35 and 37 under 35 U.S.C. §103(a) as being unpatentable over Ortony (USP 6,038,595), in view of Orenshteyn (USP 5,889,942) and in further view of Frcsc, II et al (USP 5,909,545). Applicant respectfully requests reconsideration.

Claim 22 as amended with the language of now canceled claim 24 includes the following limitation:

“a console application including a user interface program, information about services, including network addresses, in a group of services accessible via the network, and a communication driver executing a protocol for communication of the console application with at least one of the services in the group, wherein the protocol includes an exchange one or more exchanges in which the console application notifies a particular service in the group of services which will act as an application host, of a set of services to be invoked, and by which the console application learns the network addresses of services in the group;

an input/output device supporting the user interface program, wherein the device downloads code controlling the set of services”

The cited combination fails to disclose at least the claim limitations above.

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The Examiner notes that Ortony does not disclose a tool wherein the "protocol" includes an exchange "by which the console application learns the network addresses of services in the group".

Orenshteyn cannot be relied on to teach such a protocol. Orenshteyn discloses a client which has a preexisting GUI and I/O logic (column 4, lines 27-32) and which has no application logic (column 6, lines 11-12). One of skill in the art would not have relied on Orenshteyn to disclose the claimed invention, which requires a "device" that "downloads code controlling the set of services" as claimed. The Examiner cannot "pick and choose from any one reference only so much of it as will support a given position, to the exclusion of other parts necessary to the full appreciation of what such reference fairly suggests to one of ordinary skill in the art". In re Wesslau, 353 F.2d 238, 241 (CCPA 1965). Thus, the Examiner cannot "pick and choose" the parts of Orenshteyn which disclose "directory services" while excluding the parts of Orenshteyn which teach away from the claimed invention. References cannot be combined where reference teaches away from their combination. MPEP 2145 X.D.II.

Accordingly, reconsideration of the rejection of claims 22, 25, 27, 31, 35 and 37 is respectfully requested.

Rejection of Claims 26, 28-30, 32-34 and 38 under 35 U.S.C. §103(a)

The Examiner rejected claims 26, 28-30, 32-34 and 38 under 35 U.S.C. §103(a) as being unpatentable over Ortony (USP 6,038,595), Orenshteyn (USP 5,889,942), Frese, II et al (USP 5,909,545) and in further view of Official Notice. Applicant respectfully requests reconsideration.

The rejected claims depend from claim 22, which as amended with the language of now canceled claim 24 includes the following limitation:

"a console application including a user interface program, information about services, including network addresses, in a group of services accessible via the network, and a communication driver executing a protocol for communication of the console application with at least one of the services in the group, wherein the protocol includes an exchange one or more exchanges in which the console application notifies a particular service in the group of services which will act as an application host, of a set of services

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to be invoked, and by which the console application learns the network addresses of services in the group;

an input/output device supporting the user interface program, wherein the device downloads code controlling the set of services”

The cited combination fails to disclose at least the claim limitations above, such as a “protocol” that includes an exchange “by which the console application learns the network addresses of services in the group” as claimed.

Accordingly, reconsideration of the rejection of claims 26, 28-30, 32-34, and 38, is respectfully requested.

Rejection of Claim 36 under 35 U.S.C. §103(a)

The Examiner rejected claims 36 under 35 U.S.C. §103(a) as being unpatentable over Ortony (USP 6,038,595), Orenshteyn (USP 5,889,942), Frese, II et al (USP 5,909,545) and in further view of Whitehead et al (USP 6,085,030). Applicant respectfully requests reconsideration.

The rejected claim depends from claim 22, which as amended with the language of now canceled claim 24 includes the following limitation:

“a console application including a user interface program, information about services, including network addresses, in a group of services accessible via the network, and a communication driver executing a protocol for communication of the console application with at least one of the services in the group, wherein the protocol includes an exchange one or more exchanges in which the console application notifies a particular service in the group of services which will act as an application host, of a set of services to be invoked, and by which the console application learns the network addresses of services in the group;

an input/output device supporting the user interface program, wherein the device downloads code controlling the set of services”

The cited combination fails to disclose at least the claim limitations above, such as a “protocol” that includes an exchange “by which the console application learns the network addresses of services in the group” as claimed.

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Accordingly, reconsideration of the rejection of claim 36, as amended is respectfully requested.

Rejection of Claims 39, 42, 44, and 45 under 35 U.S.C. §103(a)

The Examiner rejected claims 39, 42, 44, and 45 under 35 U.S.C. §103(a) as being unpatentable over Freese, II et al (USP 5,909,545) in view of Ortony (USP 6,038,595). Applicant respectfully requests reconsideration.

Claim 39 as amended includes the following limitation:

“establishing a communication link via the network between the portable computing platform and the particular processor by which the portable computing platform learns the network addresses of services in the group”

The cited combination fails to disclose at least the claim limitations above, such as “establishing a communication link ... by which the portable computing platform learns the network addresses of services in the group” as claimed.

Accordingly, reconsideration of the rejection of claims 39, 42, 44, and 45 is respectfully requested.

Rejection of Claims 40 and 41 under 35 U.S.C. §103(a)

The Examiner rejected claims 40 and 41 under 35 U.S.C. §103(a) as being unpatentable over Freese, II et al (USP 5,909,545) and Ortony (USP 6,038,595), and in further view of Myers et al, “Collaboration Using Multiple PDAs connected to a PC”. Applicant respectfully requests reconsideration.

The rejected claims depend from claim 39, which as amended includes the following limitation:

“establishing a communication link via the network between the portable computing platform and the particular processor by which the portable computing platform learns the network addresses of services in the group”

The cited combination fails to disclose at least the claim limitations above, such as “establishing a communication link ... by which the portable computing platform learns the network addresses of services in the group” as claimed.

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Accordingly, reconsideration of the rejection of claims 40 and 41 is respectfully requested.

Rejection of Claim 43 under 35 U.S.C. §103(a)

The Examiner rejected claims 43 under 35 U.S.C. §103(a) as being unpatentable over Frese, II et al (USP 5,909,545) and Ortony (USP 6,038,595), in view further view of Whitehead et al (USP 6,085,030). Applicant respectfully requests reconsideration.

The rejected claim depends from claim 39, which as amended includes the following limitation:

“establishing a communication link via the network between the portable computing platform and the particular processor by which the portable computing platform learns the network addresses of services in the group”

The cited combination fails to disclose at least the claim limitations above, such as “establishing a communication link ... by which the portable computing platform learns the network addresses of services in the group” as claimed.

Accordingly, reconsideration of the rejection of claim 43 is respectfully requested.

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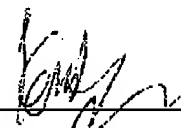
CONCLUSION

It is respectfully submitted that this application is now in condition for allowance, and such action is requested.

The Commissioner is hereby authorized to charge any fee determined to be due in connection with this communication, or credit any overpayment, to our Deposit Account No. 50-0869 (3COM 2257-2).

Respectfully submitted,

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